

EXHIBIT H

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DEBATES AND PROCEEDINGS

IN THE

CONGRESS OF THE UNITED STATES;

WITH

AN APPENDIX,

CONTAINING

IMPORTANT STATE PAPERS AND PUBLIC DOCUMENTS,

AND ALL

THE LAWS OF A PUBLIC NATURE;

WITH A COPIOUS INDEX.



VOLUME II,

COMPRISING (WITH VOLUME I) THE PERIOD FROM MARCH 3, 1789,
TO MARCH 3, 1791, INCLUSIVE.

COMPILED FROM AUTHENTIC MATERIALS,

BY JOSEPH GALES, SENIOR.

WASHINGTON:

PRINTED AND PUBLISHED BY GALES AND SEATON.

1834.

1851

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1852

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Militia.

[DEC. 16, 1790.]

and how near the longitude can be thereby ascertained, may now be determined.

Ordered, That the said petitions do lie on the table.

Mr. JACKSON, from the committee appointed for the purpose, presented a bill to continue an act for declaring the assent of Congress to certain acts of the States of Maryland, Georgia, and Rhode Island.

MILITIA.

The House resolved itself into a Committee of the whole on the bill to establish a uniform militia throughout the United States, Mr. LIVERMORE in the chair.

The committee made some progress in the discussion of the bill. Several amendments and alterations were proposed, and some of them adopted.

Mr. PARKER observed, the clause which enacts that every man in the United States shall "provide himself" with military accoutrements would be found impracticable, as it must be well known that there are many persons who are so poor that it is impossible they should comply with the law. He conceived, therefore, that provision should be made for arming such persons at the expense of the United States. He then gave notice that, in the course of the discussion of the bill, he should move an amendment to this purpose.

Mr. GILMAN observed, that obliging persons to turn out in the militia till they were fifty years of age, agreeable to the bill, would be found unnecessary and inconvenient, and is contrary to the practice of the several States; few, if any, requiring militia duties to be performed after the age of forty-five. He moved therefore, that fifty be struck out, and forty-five inserted.

Mr. VINING objected to the motion. He observed, that a great proportion of our citizens, especially those at the Eastward and Northward, were as capable of military services at fifty as at any period. Many in the ranks of the late Continental army, were, he believed, fifty and upwards, who were as good soldiers as any in the service. He thought the alteration unnecessary.

Mr. GILMAN replied, that he conceived the general practice of the States, which was found on experience to be the best, was a sufficient answer to the gentleman last speaking, and would sanction the adoption of the amendment he proposed.

Mr. LAWRENCE said, that by the laws of the State of New York, persons above forty-five years of age are not enrolled to do duty in the militia; and he thought that fifty was a period too late in life to be subject to military hardships, if it could be avoided.

Mr. WILLIAMSON was in favor of the motion. Though he had seen men in the field who were advanced in life, it had not been without pain. He thought from sixteen to eighteen too early a period. Many at that tender age fell sacrifices to sickness and fatigue.

Mr. GILMAN's motion being put, was carried in the affirmative.

Mr. FITZSIMONS suggested to the consideration of the committee, whether it would be the most eligible mode to subject all the citizens from eighteen to forty-five years of age, without exception, to turn out as soldiers. A much smaller number would, in his opinion, answer all the purposes of a militia. He thought the active militia might be comprised within a much smaller number, to be proportioned to the citizens of each State. The militia law of Pennsylvania had been of this general complexion, and had never compensated in its operation for the uneasiness it had excited, and the tax and grievance it had been to the people.

Mr. BOUDINOT said, that the idea now suggested was debated in the committee; and they could not agree upon any other mode than that proposed in the bill. He very much disapproved the idea of making a soldier of every man between eighteen and forty-five years of age—there is a manifest impropriety in the measure; and he wished some gentleman would propose an alteration.

Mr. LAWRENCE said, that the idea of the gentleman from Pennsylvania struck at the principle of the bill; but as the hint may not be unworthy of consideration, he proposed that he should form a motion, and reduce it to writing.

Mr. FITZSIMONS apologized for engrossing the time of the committee, especially as he had not prepared an amendment to that part of the bill to which he objected, not having contemplated the subject sufficiently; but on perusing the bill, it had been forcibly impressed on his mind, that subjecting the whole body of the people to be drawn out four or five times a year was a great and unnecessary tax on the community; that it could not conduce either to the acquisition of military knowledge, or the advancement of morals. As far as the whole body of the people are necessary to the general defence, they ought to be armed; but the law ought not to require more than is necessary; for that would be a just cause of complaint.

Mr. WADSWORTH said, that it appeared to him the gentleman's objections went only to that part of the bill which points out the number of days to be devoted to training the militia; as he had conceded that all from eighteen to forty-five ought to be armed.

Mr. JACKSON said, that he was of opinion that the people of America would never consent to be deprived of the privilege of carrying arms. Though it may prove burthensome to some individuals to be obliged to arm themselves, yet it would not be so considered when the advantages were justly estimated. Original institutions of this nature are highly important. The Swiss Cantons owed their emancipation to their militia establishment. The English cities rendered themselves formidable to the Barons, by putting arms into the hands of their militia; and when the militia united with the Barons, they extorted *Magna Charta* from King John. I n

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France, we recently see the same salutary effects from arming the militia. In England, the militia has of late been neglected—the consequence is a standing army. In Ireland, we have seen the good effects of arming the militia, in the noble efforts they have made to emancipate their country. If we neglect the militia, a standing army must be introduced; but if the idea suggested by the gentleman from Pennsylvania is adopted, certain classes must be drawn out, and kept for months together, which would prove as great a burthen as a standing army. None of the States, he observed, have adopted such a plan. In Georgia, the militia service has been as strict as is contemplated by the bill, but they have never complained. In a Republic every man ought to be a soldier, and prepared to resist tyranny and usurpation, as well as invasion, and to prevent the greatest of all evils—a standing army. Mankind have been divided into three classes, Shepherds, Husbandmen, and Artificers—of which the last make the worst militia; but as the arts and sciences are the sources of great wealth to the community, which may excite the jealousy and avarice of neighbors, this class ought to be peculiarly qualified to defend themselves and repel invasions; and as this country is rising fast in manufactures, the arts and sciences, and from her fertile soil may expect great affluence, she ought to be able to protect that and her liberties from within herself.

Mr. PARKER here introduced his motion, to amend the bill by a proviso, that persons who shall make it appear that they are not able to equip themselves, shall be furnished at the expense of the United States.

Mr. WADSWORTH objected to this amendment. He said, it would empower the officers to create an enormous charge against the United States. He said, he had read almost all the militia laws of the several States, and had found no such provision in one of them; there is not a considerable number of such persons in any of the States; and rather than have this proviso inserted, he would prefer a clause to excuse them altogether.

Mr. PARKER said, that in Virginia there is a law, which provides that poor persons, not able to arm themselves, should be equipped at the expense of the State. In every State there are doubtless many such persons, who ought to be provided for by the General Government; and if they are not, the law is rendered impracticable; as you require more than is possible for them to perform. As to excusing such poor persons from military duty, they would be found in cases of emergency, very useful to defend those, who do not choose to risk their own persons.

Mr. HUNTINGTON said, if the gentleman would vary his motion, so that the expense should be incurred by the State, he did not know but he should agree to it. There is one State, said he, in which every person is obliged to provide himself with arms and accoutre-

ments—and no difficulty has resulted from the law. Penalties on default are exacted and collected; but this proposition will produce great inequalities; it will excite jealousies and discord between the Governments—but if left to the States, the officers will be more exact to prevent impositions on the particular State from which they receive their appointments.

Mr. PARKER agreed to alter his motion agreeable to Mr. HUNTINGTON's idea.

Mr. BORDINOT said, that there did not appear to be any necessity for the amendment, as the bill makes provision for excepting persons who are unable to purchase arms, in case the State Legislatures choose to make such exceptions.

Mr. GILES said, he was opposed to the motion on principle; but if that was not the case he should object to it in its present form as it was not full enough. He did not suppose that it was intended that the United States should make a present of the arms thus furnished—but the motion does not provide for their return, when not in use. His principal objection to the motion, however, arose from its being an improper interference with the authority of the State Governments. They may, or may not comply with the law. If they should not, it would prove nugatory—and render the authority of the United States contemptible. For these reasons, and others which had been advanced, he thought the amendment improper.

Mr. BLOODWORTH observed, that as the militia was to be organized and disciplined under the authority of the United States, and to be employed for the general defence, whenever and wherever Congress should direct, it appeared but reasonable that those who were benefited by them should be at the expense of arming them.

Mr. SHERMAN said, it appeared to him, that by the Constitution, the United States were to be put to no expense about the militia, except when called into actual service. The clause is not so explicit as might have been wished; but it will be difficult to fix the construction mentioned by the gentleman from North Carolina. What relates to arming and disciplining means nothing more than a general regulation in respect to the arms and accoutrements. There are so few freemen in the United States who are not able to provide themselves with arms and accoutrements, that any provision on the part of the United States is unnecessary and improper. He had no doubt that the people, if left to themselves, would provide such arms as are necessary, without inconvenience or complaint; but if they are furnished by the United States, the public arsenals would soon be exhausted—and experience shows, that public property of this kind, from the careless manner in which many persons use it, is soon lost. The expense and inconvenience would, in his opinion, far overbalance any good that would be derived from such a proposition.

Mr. VINING observed, that the greatest objec-

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tion against the motion is, that it stops short in the regulation of the business. No provision, it is said, is made for the return of the arms to the public; and it gives a discretionary power to the officers to dispose of the property of the United States; but he conceived these difficulties were not beyond the reach of remedies; the wisdom of the House, he doubted not, would devise such as were adequate to the object. He asked by what means minors were to provide themselves with the requisite articles? Many of them are apprentices. If you put arms into their hands, they will make good soldiers; but how are they to procure them? It is said, if they are supplied by the United States the property will be lost; if this is provided against, every objection may be obviated. He then offered an addition to the motion, providing for the return of the arms to the commanding officer.

The Chairman then stated the motion with the amendment.

Mr. TUCKER observed, that the motion in its present form differed from the original proposed by the gentleman from Virginia. He conceived the gentleman had no right to alter it, nor could it be done without a vote of the committee. He preferred the motion in its original state—for the United States may, without doubt, furnish the arms—but he very much questioned their right to call on the individual States to do it.

Mr. WILLIAMSON was in favor of the question's being taken with the amendment admitted by Mr. PARKER. He wished to know whether Congress meant to tax the individual States in this unusual manner. Perhaps as they had assumed the State debts upon this principle, or rather without any principle, they might think they had a right to call upon them to furnish quotas in proportion, this would be getting something for something; and not like the other measure, losing something for nothing.

Mr. VINING said, he could not understand what was meant by saying that the amendment was dictating to the States. What is the whole bill but dictating; a law that affects every individual, touches the whole community. With respect to the constitutionality of the measure, there can be no doubt; every grant of power to Congress necessarily implies a conveyance of every incidental power requisite to carry the grant into effect.

Mr. WADSWORTH apologized for detaining the attention of the committee a moment, while he asked the gentlemen who favored the motion what was the extent of their wishes? The motion at first appeared to be in favor of poor men, who are unable to purchase a firelock; but now it seems, minors and apprentices are to be provided for. Is there a man in this House who would wish to see so large a proportion of the community, perhaps one-third, armed by the United States, and liable to be disarmed by them? Nothing would tend more to excite suspicion, and rouse a jealousy dangerous to the

Union. With respect to apprentices, every man knew that they were liable to this tax, and they were taken under the idea of being provided for by their masters; as to minors, their parents or guardians would prefer furnishing them with arms themselves, to depending on the United States when they knew they were liable to having them reclaimed.

The question on Mr. PARKER's motion was lost.

On motion of Mr. HEISTER, a proviso was added to the section in the following words:

"That every citizen so enrolled, and providing himself with the arms and accoutrements required as aforesaid, shall hold the same exempt from all executions, or suits for debt, or for the payment of taxes."

Mr. FITZSIMONS moved to strike out the words "provide himself," and insert "shall be provided."

This motion was objected to by Messrs. BOUNDINOT, HUNTINGTON, JACKSON, PARTRIDGE, VINING, and MADISON. It was said that it would be destructive of the bill, as it would leave it optional with the States, or individuals, whether the militia should be armed or not.

This motion was lost by a great majority. The second section comprises the characters that are to be exempted from enrolment or militia duty.

Mr. MADISON moved to strike out that part which related to members of Congress, their officers and servants, attending either House—and to insert "members of the Senate and House of Representatives whilst travelling to, attending at, or returning from the sessions of Congress." He saw no reason for a total exemption from militia service; exceptions in favor of the framers of laws ought not to be extended beyond what is evidently necessary. The members of Congress, during the recess, are at liberty to pursue their ordinary avocations, and may participate in the duties and exercises of their fellow-citizens. They ought to bear a part in the burdens they lay on others, which may check an abuse of the powers with which they are vested.

Mr. JACKSON observed, that this alteration might interfere with the public interest; in cases of alarm or invasion, the members might be called to a great distance in the militia at the moment when their presence was required to attend the session of the Legislature. It would be well therefore to consider whether their services in the militia would be of equal importance to the public interest, as their services in Congress.

Mr. BOUNDINOT objected to the amendment; not that he would exempt members of Congress from burdens imposed on their fellow-citizens; but the motion he conceived was inconsistent with this very idea. The bill provides that exempts shall pay a certain equivalent; it would be unjust to impose this equivalent, and compel the members of Congress to turn out in the

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Mr. STONE withdrew his motion.

Mr. BLOODWORTH moved that the rank of brigadier should be given to them.—Agreed.

Mr. BENSON moved for an additional clause to the bill, for granting to the President of the United States the power of calling out the militia into the service of the United States, &c. to repel invasions or suppress insurrections.

Mr. SHERMAN observed that the proposed clause was not explicit enough. The General Government, by the Constitution, had not the power of calling out the militia to suppress insurrections in the States without the special request of the States.

Mr. BLOODWORTH hoped the additional section would not be adopted, it would be a dangerous provision.

Mr. BENSON agreed to withdraw his motion for the present, to bring it before the House when the principles of the bill came to be discussed by them.

The committee, having gone through the bill, rose, and reported the same, with sundry amendments, which were laid on the table.

PUBLIC DEBT.

The Speaker laid before the House a report from the commissioners appointed for the purpose, of the amount of the purchases which had been made of the public debt, which was ordered to lie on the table. The amount purchased was \$278,687, for which the sum of \$159,239 in specie had been paid.

WEDNESDAY, December 22.

ENROLLED BILLS.

A joint committee was appointed for the examination of enrolled bills, consisting of Mr. FOSTER, of the Senate, and Messrs. FLOYD and P. MUHLENBERG, of the House.

MILITIA.

The House took up the report of the Committee of the whole of yesterday on the bill for establishing a uniform militia. The amendments being read,

Mr. BOUDINOT moved, that the persons of the militia should be exempt from civil process on the days of rendezvous.

Mr. LIVERMORE opposed the motion. He conceived it was an unconstitutional interference with the internal police of the individual States. The States have an exclusive right, said he, to regulate the times of training the militia; and Congress has no right to say that the citizens shall or shall not be liable to a legal arrest on such occasions.

Mr. BOUDINOT admitted, that there was some weight in Mr. LIVERMORE's objections; but, at the same time, observed, that the principle once admitted that Congress has a power to discipline the militia, every incidental power to carry that idea into effect must follow. He should, however, reserve himself to offer some further remarks on the subject.

The question being taken, it passed in the affirmative. The amendment, as thus amended, was put and carried.

Mr. BLOODWORTH proposed an amendment to the second section, by which all persons exempted by the laws of the respective States should also be exempted by this law. This was objected to by several members.

Mr. LIVERMORE said, it was so general; that it opened the door to an almost universal exemption; it likewise involved an uncertainty with respect to the present and future laws of the several States, which ought not, in his opinion, to be admitted.

Mr. BLOODWORTH said, he moved the amendment, because he was fully persuaded that the United States had nothing to do with the exemptions heretofore usually made by the particular States. It is proper for Congress only to exempt their own particular officers; but he considered the bill of a very important nature, one that will undergo the strictest scrutiny, and may either be made very agreeable to the States, or very much the reverse. He adverted to the Constitution, and said that the powers of Congress only extend to the mere arrangement of the militia; but, in its present form, it is a Government bill, and goes to the minutiae of the regulations in the militia.

Mr. GILES objected to the motion. He considered the section, as it stood without the amendment, useless, and therefore the amendment is unnecessary; for if the States possess the power of making the exemptions in themselves they cannot be deprived of it. He was consequently against the present motion, and should move to obliterate the whole, so far as it interferes with the power of the particular States.

Mr. SHERMAN was opposed to the particular interference of the General Government any further than they are expressly warranted by the Constitution. The powers of Congress, he contended, were very much limited in respect to the militia. He moved a more general modification of the section; by which the officers of the General Government, such as the members of Congress, the Executive officers, post-officers, postmasters, and mail-carriers should be designated, and all other persons that are, or shall be, exempted by the laws of the several States.

Mr. BLOODWORTH acceded to this modification.

Mr. GILES objected to the proposition as amended, as blending and confusing the powers of the General Government with those of the particular States. He objected to it as it went to extend the privileges of the members of Congress, whose privileges are defined in the Constitution. He objected to it also as it violates the principle which had before been laid down, that the lawmakers ought to sympathize with those on whom the laws are designed to operate, and pursuing the idea, said Congress may go on to exempt themselves from every public duty.

Mr. WILLIAMSON, adverting to the Constitution said, that it was plain Congress are to provide for arming and disciplining the militia;

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but who are the militia? Such men, he presumed, as are declared so to be by the laws of the particular States, and on this principle he was led to suppose that the militia ought to consist of the whole body of citizens without exception. If this construction be just, the propriety of the motion is apparent. He did not anticipate an abuse of the power of exemption on the part of the States; he thought the period far distant when the United States would trust their defence to mercenaries. He objected to the numerous exemptions proposed to be made by the General Government, and observed that he feared great impositions and evasions would be practised in consequence of them; the power will be exercised by the States, and ought not to be by Congress.

Mr. BURKE said, no man was more in favor of an efficient and competent militia than he was; but the various exemptions contended for are so many that he conceived the consequences would be subversive of the whole plan. Observations had been thrown out which he was sorry to hear, that except these exemptions took place, the bill would be lost. He then mentioned the several classes proposed to be exempted, by which the whole country would, in effect, be divided into two tribes; and the rich, the governors and rulers of the land would be relieved from the burthen, while the mechanics, the farmers, the laborers, the hard-working part of the community would be made to sustain the whole weight of the service in defending the country. He was opposed to exempting members of Congress; in the recess they may attend militia duty. It was agreeable to the practice of South Carolina; he had himself performed militia duty during the recess. He thought that all should equally be made to turn out in the ranks, high and low, rich and poor, old and young, and thus make the militia honorable. I know, said he, it is the policy of the day to make the militia odious; but I hope such policy will not be adopted by this House. He was not, however, opposed to all exemptions; he would exempt the people called Quakers, and all persons religiously scrupulous of bearing arms, stage-drivers, and instructors of youth; but their pupils, the students in colleges and seminaries of learning, should not be exempt; youth is the proper time to acquire military knowledge. He hoped that the House would not make two distinct tribes or classes of people. There ought to be no such distinctions in a free country.

Mr. JACKSON said, he was sorry that his honorable friend was so determined to have two tribes of people; but he set out with that resolution, and now concludes with the same idea. He then adverted to the exemption of Quakers, provided for in the bill. He said, that the operation of this privilege would be to make the whole community turn Quakers; and in this way it would establish the religion of that denomination more effectually than any positive law could any persuasion whatever. He en-

larged on the obligations which every man owes to society to afford his personal services to assist and defend the community; protection and service are reciprocal. Those who are exempted ought to pay a full equivalent on every principle of justice and equity. He then adverted to exemptions generally, and advocated those of the members of Congress; but, with respect to all others, he was absolutely opposed to them; and said they were so numerous as to destroy the militia bill altogether. The consequence would be, we must resort to a standing force for the general defence.

Mr. VINING was opposed to giving the general power of making such exemptions as they please to the several States. The Legislature of the Union is competent to making such as are necessary. He enlarged on the mischievous consequences of delegating this power. It will, said he, destroy every appearance of uniformity; nor is there any danger that the members of the House will abuse this power by undue exemptions. With respect to the Quakers, he replied to some observations of Mr. JACKSON, who had asked, what will become of our boasted independence in case of the exemption of the Quakers? He asked, were there no Quakers in the late war? He adverted to the conduct of the first settlers of Pennsylvania, who were Quakers; their peaceful principles were productive of the happiest consequences; and in this view their conduct had been an example, which, in proportion as mankind shall recede from the force of turbulent passions, will be more and more imitated. He, however, supposed that an equivalent might be assessed on these people without difficulty, and which, from their numbers, supposed to be one-twentieth part of the people, would amount to a sum sufficient to support a militia; at least, to furnish them with arms, drums, colors, &c.

Mr. LAWRENCE observed, that it appeared to him that the object of the motion is to revive a subject which has already been decided in the committee; he had not, however, altered his opinion, he still thought it would be impolitic, if not dangerous, to delegate a power which they can exercise themselves.

He adverted to the observations of Mr. GILES, that Congress cannot extend their privileges; and observed that the clause in the Constitution refers to the privileges of being exempt from arrest, that they might not be precluded from attending their duty in Congress; with respect to its being an extension of their privileges to provide for their exemption, there cannot be any force in this, as it is conceded that Congress may designate the age of the militia; now if their ages are restricted from eighteen to forty-five, it effectually exempts many of the members of Congress; but this exemption from arrest is not the only privilege that members of Congress possess; and he had no doubt of their right in the present case to exempt themselves; the expediency of the measure is sanctioned by the practice of every State in the Union.

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Mr. BOUNDINOT asked what is the object of the bill? It is to provide an uniform militia, competent to the defence of the country; it is not to take money out of the pockets of the people. He then adverted to the idea that was maintained by several gentlemen, that the militia ought to consist of every person in the United States, and said that this, so far from conducing to the formation of a national defence, would prove the reverse; for it would necessarily include persons religiously scrupulous of bearing arms, men in years not able to bear them, and a great variety of characters not suitable to bear them.

With respect to exemptions, he contended, that the right of Congress to make them is already conceded; for it is already agreed that the militia shall consist of persons of particular ages, consequently all under eighteen and above forty-five are expressly exempted; the reverse of this principle will give the States the absolute control of the General Government. He then observed, that the amendment ought not to be adopted; because it would be throwing a burthen on others which Congress ought to bear themselves; because it will destroy every idea of uniformity; because it invests a power in the States to impose fines and penalties which may operate oppressively on many descriptions of persons; because it invests the States with a power to make partial exemptions, create invidious distinctions, and excite unwarrantable competitions among different classes and professions. He then adverted to the Quakers, and asked, what would become of our independence, if one thousand troops were to attack us, and we had an army of ten thousand Quakers to oppose them; what dependence can be had on men who are forced into the field? He had trusted that the rights of men were so well defined at this enlightened period, that the principles which had been advanced would not have been applied on this occasion. He entered into a defence of the exemptions generally provided for, and justified them on principles of justice and policy. He was sorry that the distinctions mentioned by the gentleman from South Carolina had been brought forward. He had no idea of different tribes or classes. The members of this House at the end of every two years revert to the mass of the people, and then become liable to bear their proportion of militia duty as well as their fellow-citizens.

Mr. MADISON moved to insert among the exemptions, persons conscientiously scrupulous of bearing arms. It is the glory of our country, said he, that a more sacred regard to the rights of mankind is preserved than has heretofore been known. The Quakers merit some attention on this delicate point, liberty of conscience. When they had it in their power to establish their religion by law they did not. He was disposed to make the exemption gratuitous, but supposed it impracticable. He replied to Mr. JACKSON'S observations, that exempting such persons would induce the people generally to

turn Quakers. He did not believe that the citizens of the United States would hypocritically renounce their principles, their conscience, and their God, for the sake of enjoying the exemption.

Mr. SHERMAN seconded this motion. He said that persons conscientiously scrupulous of bearing arms could not be compelled to do it; for such persons will rather suffer death than commit moral evil; they may be punished, it is true, by fines and penalties, but whether this would be eligible or not remains to be determined. We, however, have the sense of these people on the subject. He suggested whether some expedient cannot be devised to operate as an indemnity, by excusing part of the militia from a poll tax, so as to equalize the exemption, if made gratuitous.

Mr. LIVERMORE said he disliked the whole amendment. He also disliked the bill on several accounts, more particularly as it interfered too much with the regulations of the several States. The present proposition, he thought, would come in more properly in the second section.

Mr. JACKSON said, he was glad that the motion of the gentleman from Virginia had been brought forward; it might serve to ascertain the sentiment of the House on this important subject. He observed that, in his opinion, the gentleman had not argued with his usual ingenuity and knowledge of the human heart, in respect to the exemptions proposed in favor of the Quakers. It is too evident that mankind stand in greater dread of present evil than of future punishment. The influence of conscience is a weak defence against the powerful temptations of pecuniary advantages; and as he had been informed since he came to this city that one Quaker will convert ten men to Quakerism before ten of a different persuasion will convert one Quaker. With the assistance of this law the converts will be ten times as numerous. He conceived that the natural operation of it would be to destroy the whole militia bill. He insisted on their being liable to a penalty in lieu of personal service, and enlarged on the reasonableness of paying their proportion to the general defence. He replied to Mr. BOUNDINOT'S query respecting ten thousand Quakers; they would all run away, said he, and one thousand men in this case would subjugate the country.

Mr. GILES observed, that he was opposed to the exemption of the Quakers, and gave his reasons; protection and personal services result from society; they are due from every individual, and it is a violation of moral duty to withhold this personal service. He was in favor of exempting every man from doing that which his general conduct evinced was contrary to his conscience; but it cannot be said that it is against the conscience of a Quaker to hold and possess property; therefore every man who receives the protection of the laws ought to contribute his proportion to the